

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

PATRICIA SIMONDS, et al.)	
)	
Plaintiff,)	
)	
v.)	
)	Civil Action No.: 1:20-cv-250
CHEROKEE COUNTY, et al,)	
)	
Defendants.)	
)	
)	

TIENDA PHILLIPS, et al.)	
)	
Plaintiff,)	
)	
v.)	
)	Civil Action No. 1:21-cv-274
CHEROKEE COUNTY, et al,)	
)	
Defendants.)	
)	
)	

NATHAN DAVENPORT, et al.

Plaintiff,

v.

CHEROKEE COUNTY, et al,

Defendants.

Civil Action No. 1:21-cv-276

MELANIE DYER, et al.

Plaintiff,

v.

CHEROKEE COUNTY, et al,

Defendants.

Civil Action No. 1:21-cv-277

NATHAN DAVENPORT, et al.

Plaintiff,

v.

CHEROKEE COUNTY, et al,

Defendants.

Civil Action No. 1:21-cv-278

JEREMY SILVERS, et al.

Plaintiff,

v.

CHEROKEE COUNTY, et al,

Defendants.

Civil Action No. 1:21-cv-280

REGINA MANEY, et al.

Plaintiff,

v.

CHEROKEE COUNTY, et al,

Defendants.

Civil Action No. 1:21-cv-281

DESIREE REILY, et al.

Plaintiff,

v.

CHEROKEE COUNTY, et al,

Defendants.

Civil Action No. 1:21-cv-282

MARTHA KILLIAN, et al.

Plaintiff,

v.

CHEROKEE COUNTY, et al,

Defendants.

Civil Action No. 1:21-cv-283

AMANDA TIMPSON, et al.

Plaintiff,

v.

CHEROKEE COUNTY, et al,

Defendants.

Civil Action No. 1:21-cv-284

SARAH CRAPSE, et al.

Plaintiff,

v.

CHEROKEE COUNTY, et al,

Defendants.

Civil Action No. 1:21-cv-285

HANNAH ALLEN, et al.

Plaintiff,

v.

CHEROKEE COUNTY, et al,

Defendants.

Civil Action No. 1:21-cv-286

TESSA DORSEY, et al.

Plaintiff,

v.

CHEROKEE COUNTY, et al,

Defendants.

Civil Action No. 1:21-cv-287

LIBBY HELMS, et al.

Plaintiff,

v.

CHEROKEE COUNTY, et al,

Defendants.

Civil Action No. 1:21-cv-288

SHALEES GREENLEE, et al.

Plaintiff,

v.

CHEROKEE COUNTY, et al,

Defendants.

Civil Action No. 1:21-cv-289

SAMANTHA TORRES, et al.

Plaintiff,

v.

CHEROKEE COUNTY, et al,

Defendants.

Civil Action No. 1:21-cv-290

KELLY WALKER, et al.

Plaintiff,

v.

CHEROKEE COUNTY, et al,

Defendants.

Civil Action No. 1:21-cv-292

SHEENA DOCKERY, et al.

Plaintiff,

v.

CHEROKEE COUNTY, et al,

Defendants.

Civil Action No. 1:21-cv-293

JESSICA FARQUHAR, et al.

Plaintiff,

v.

CHEROKEE COUNTY, et al,

Defendants.

Civil Action No. 1:21-cv-294

CAINE BURNETTE, et al.

Plaintiff,

v.

CHEROKEE COUNTY, et al,

Defendants.

Civil Action No. 1:21-cv-295

STEPHEN DOWNEY, et al.

Plaintiff,

v.

CHEROKEE COUNTY, et al,

Defendants.

Civil Action No. 1:21-cv-296

CHEYENNE SPICOLA, et al.

Plaintiff,

v.

CHEROKEE COUNTY, et al,

Defendants.

Civil Action No. 1:21-cv-297

The Parties hereby request that this Honorable Court extend the stay issued in this case for thirty days until July 18, 2022, to allow the Parties to continue settlement discussions and resolve all issues in all of the above-captioned cases.

In support of this Motion, the Parties state the following:

1. The above captioned 22 related cases (“Related Cases”), arise out of the Defendants’ alleged use of child visitation agreements to separate families and children.
2. On December 10, 2021, this Court granted the Parties’ Motion to Stay the Related Cases in order for the Parties to engage in settlement talks. The Court stayed the cases until May 4, 2022 unless a motion was made to extend it for “good cause.” On May 3, 2022, the Parties filed a joint motion to stay the case for forty five days based upon the Parties’ efforts at resolving these cases. This Court granted this Motion and extended the stay until June 17, 2022.
3. Since May 3, 2022, the Parties have continued to work diligently toward resolving these cases. The Parties engaged in all day mediations with mediator Anderson Cromer on May 31, 2022, June 3, 2022, and June 8, 2022. Counsel for the parties are close to reaching a proposed settlement agreement, but the terms of that proposed agreement and the ethical duties of counsel for the plaintiffs mandate that the attorneys must explain the settlement terms to each plaintiff and obtain the consent of all plaintiffs to the proposed settlement. In addition, and as a consequence, counsel for all parties will be required to prepare additional documents and materials to

be submitted to the court in order for a clear and cogent presentation to the Court for a proper conclusion to these cases. The Parties acknowledge that on May 3, 2022, the Parties informed the Court that they would not ask the Court for additional time to stay the case at the conclusion of the forty five days. However, good cause exists for an additional thirty day stay until July 18, 2022.

4. Good cause exists because the Parties are seeking this brief stay not to delay these cases, but rather to resolve them without engaging in any further filings with the Court until the presentation of the final settlement documents for the Court's approval.
5. The Parties will provide a status report to the Court by July 18, 2022, or at a different time set by the Court.
6. Counsel for the parties believe that a report of such settlement can and will be made to the Court by Monday, July 18, 2022.

For these reasons, the Parties respectfully request that the Court extend the temporary stay for a period of thirty days or until July 18, 2022.

This the 16th day of June 2022.

s/David A. Wijewickrama

David A. Wijewickrama

Attorney for Plaintiff

s/D. Brandon Christian

D. Brandon Christian

Attorney for Plaintiff

s/Melissa Jackson

Melissa Jackson

Attorney for Plaintiff

s/ Ron Moore

Ron Moore

Attorney for Plaintiff

s/Patrick Flanagan

Patrick Flanagan

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Attorney for Scott Lindsay in his individual capacity

s/Mary Euler

Mary Euler

Attorney for Cindy Palmer in her individual capacity

s/Sean F. Perrin

Sean F. Perrin

Attorney for Defendants Cherokee County, Scott Lindsay in his official capacity and Cindy Palmer in her official capacity